

EXAMINATION REPORT

Request No: TR 02/234 (TR 00/459)	Date of Receipt: 25 July 2002 (25.07.2002)
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Application No: 1999/02351	Filing date (day/month/year) 22 January 1999 (22.01.1999)	Priority date (day/month/year) 26 January 1998 (26.01.1998)
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Applicant SAINT-GOBAIN VITRAGE

1. This report consists of a total of 4 sheets, including this cover sheet.

2. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☒ Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- III ☐ Lack of unity of invention
- IV ☐ Certain observations on the application
- V ☐ Non-establishment of opinion with regard to novelty, inventive step or industrial applicability

3. The application concerns:

- I ☐ pharmaceutical products/substances or their process of preparation
- II ☐ veterinary products/substances or their process of preparation

Date of mailing this report: 25 November 2002 (25.11.2002)

Name and mailing address of the International Preliminary Examining Authority Federal institute of industrial property 30-1, Berezhkovskaya nab., Moscow, 121858, Russia Facsimile No. (095) 243-33-37	Authorized officer: M. Shatalova <div data-bbox="1039 1638 1453 1841" data-label="Form"> <table border="1"> <tr> <td colspan="2">T. 02/234 (095) 243-33-37</td> </tr> <tr> <td colspan="2">EVRAK GIRISI</td> </tr> <tr> <td>Terim:</td> <td>27.12.02 142430</td> </tr> <tr> <td>No:</td> <td></td> </tr> <tr> <td>Sevce:</td> <td></td> </tr> <tr> <td>Okiriv:</td> <td></td> </tr> </table> </div>	T. 02/234 (095) 243-33-37		EVRAK GIRISI		Terim:	27.12.02 142430	No:		Sevce:		Okiriv:	
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Form TR/ER (cover sheet)

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I. Basis of the report**1. This report has been drawn on the basis of:**

- ☐ the application as originally filed.
- ☒ the description, pages 1-34, as originally filed,
pages _____, as amended on the date _____
- ☒ the claims, Nos. _____, as originally filed,
Nos. 1-40, as amended on the date 03 Jan 2002
- ☒ the drawings, sheets/fig 1/5-5/5, as originally filed,
sheets/fig _____, as amended on the date _____

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. This report has been drawn with the following materials taken into account:

- ☐ the search report has been performed by the FIPS
- ☒ the search report has been performed by other searching authority
- ☐ the previous examination report has been performed by other examining authority
- ☒ the previous examination report has been performed by the FIPS
- ☒ the applicant's comments in response to the search report or the examination report

Form TR/ER (Box I)

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II. Reasoned statement with regard to novelty, inventive step or applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-40	YES
	Claims		NO
Inventive Step (IS)	Claims	3, 10, 11, 17-18, 22-23, 28-29, 32, 34, 37-39	YES
	Claims	1-2, 4-9, 12-16, 19-21, 24-27, 30-31, 33, 35-36, 40	NO
Industrial Applicability (IA)	Claims	1-40	YES
	Claims		NO

2. Citations and explanation:

The present International Preliminary Examination Report relates to the Amended Claims and is drawn up taking into account the Observation of the Applicant, the sources of information mentioned in the previous Examination Report and novel sources of information cited below, but namely:

D8 - JP 61 048438 A,

D9 - О.Н. ПОПОВ И ДР. Производство и применение плавленолистых огнеупоров, Москва, «МЕТАЛЛУРГИЯ», 1985. с. 211 - 212. (The copy is enclosed).

As it was mentioned in the Examination Report from D1 there is known a process for melting vitrifiable material that is carried out by means of thermal energy received by means of contact burning of fuel with an oxidizer gas (air). The term "the contact burning" means that the gas and the gaseous products are disposed below the level of the mass of vitrifiable materials. Therefore the mass is stirred.

In D1 it is not disclosed a composition of vitrifiable materials.

Including in the process declared in accordance with Claim 1 the features relating to the composition of vitrifiable materials the Applicant accentuates that only by means of process for melting a furnace charge by embedded burners it is possible to utilize glass waste products comprising an organic material.

However, from D8 there is known a process for melting vitrifiable materials by means of gas heating furnace charge. Furthermore, the waste products of smoothed mineral fibers are part of the furnace charge.

From D1 it is known that the gas burners may be embedded into a glassy mass and, besides, the process of treatment of vitrifiable materials is improved. So from D1 and D8 it follows that the processing of waste products in accordance with D8 is possible by means of the process known from D1.

Therefore, the process declared according to Claims 1 and 2 does not meet the criterion of inventive step.

The analogous argumentations may be also practiced to an apparatus declared in Claim 20. The features characterizing the apparatus are known from D1, but one version of furnace charge making is known from D8.

Therefore Claim 20 also does not meet the criterion of inventive step.

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Additional sheet

(To be used when the space in any of the preceding boxes is not sufficient)

Besides, a process disclosed in D1 includes the step of refining carried out on vitrifiable materials in "thin layer".

Therefore, the process declared in Claim 4 and the apparatus declared in accordance with Claim 21 do not meet the criterion of inventive step.

As it is mentioned by the Applicant Claims 5 to 9 correspond the previous Claims 2 to 6, and Claims 10 to 19 correspond to the previous Claims 8 to 17.

So the features of Claims 5 to 8, 13 and 14 are known from D1. The features of Claim 9 are known from D2. The features of Claim 12 are known from D3. The features of Claim 15 are known from D4. The features of Claim 16 are known from D5. The features of Claim 19 are known from D6. The processes declared in accordance with Claims 5 to 9, 12 to 16 and 19 do not meet the criterion of inventive step.

The processes declared in Claims 10, 11 and 18 are patentable ones.

As regards the apparatus according to the Applicant Claim 22 comprises the features of previous Claim 18. Claim 23 corresponds to previous Claim 19 and Claims 24 to 35 corresponds to the previous Claims 20 to 31.

The apparatuses declared in accordance with the novel Claims 22 and 23 comprise the features that are not known from the cited Prior of Art. Therefore, they are patentable ones.

The features of apparatus declared in Claims 24 and 26 are known from D4, in Claim 25 are known from D1. The features of apparatus declared in Claims 27, 30 and 31 are known from D5. The features of apparatus declared in Claim 33 are known from D5 and D9. The features of apparatus declared in Claim 35 are known from D6.

The apparatuses declared in accordance with Claims 24 to 27, 30, 31, 33 and 35 do not meet the criterion of inventive step. The apparatuses declared in Claims 28, 29, 32 and 34 are patentable ones.

The apparatus for melting and refining of vitrifiable materials declared in accordance with Claim 36 differs from the apparatus declared in Claim 20 in that, in particular, the walls of melting chamber are made of refractory material combined with cooling system involving the circulation of a fluid. However, such an apparatus of lining with refractory bricks is disclosed in D7.

Therefore the apparatus declared in accordance with Claim 36 also does not meet the criterion of inventive step.

The declared processes and apparatuses for the most part are known from the general state of the art. All they are intended for receiving a glassy mass which may be used for production of any articles including those articles that are listed in Claim 40. Therefore their usage according to the destination mentioned in Claim 40 is also known.

The features of Claims 3, 10, 11, 17, 18, 22 - 23, 28, 29, 32, 34, 37 to 39 are not known from the general state in the art. Therefore the inventions declared in according to these claims are patentable ones.